## Statement Of Senator Patrick Leahy (D-Vt.), Chairman, Committee On The Judiciary, On Introduction Of The Personal Data Privacy and Security Act of 2014 January 8, 2014

Today, I am reintroducing the Personal Data Privacy and Security Act. The recent data breach at Target involving the debit and credit card data of as many as 40 million customers during the Christmas holidays is a reminder that developing a comprehensive national strategy to protect data privacy and cybersecurity remains one of the most challenging and important issues facing our Nation. The Personal Data Privacy and Security Act will help to meet this challenge, by better protecting Americans from the growing threats of data breaches and identity theft. I thank Senators Franken, Schumer and Blumenthal for cosponsoring this important privacy legislation.

When I first introduced this bill nine years ago, I had high hopes of bringing urgently needed data privacy reforms to the American people. Although the Judiciary Committee favorably reported this bill numerous times this legislation has languished on the Senate calendar.

In the meantime, the dangers to Americans' privacy, economic prosperity and national security posed by data breaches have not gone away. According to the Privacy Rights Clearinghouse, more than 662 million records have been involved in data security breaches since 2005. According to Verizon's 2013 Data Breach Investigations Report, there were more than 600 publicly disclosed data breaches last year. These data security breaches have become all too common and these cyberthreats have placed Americans' privacy rights at great risk.

In 2011, the Obama administration released several proposals to enhance cybersecurity, including a data breach proposal that adopted the carefully balanced framework of our legislation. I am happy that many of the sound privacy principles in this bill have been embraced by the administration.

The Personal Data Privacy and Security Act requires companies that have databases with sensitive personal information on Americans establish and implement data privacy and security programs. The bill would also establish a single nationwide standard for data breach notification and require notice to consumers when their sensitive personal information has been compromised.

This bill also provides for tough criminal penalties for anyone who would intentionally and willfully conceal the fact that a data breach has occurred when the breach causes economic damage to consumers. The bill also includes the Obama administration's proposal to update the Computer Fraud and Abuse Act, so that attempted computer hacking and conspiracy to commit computer hacking offenses are subject to the same criminal penalties, as the underlying offenses.

I have drafted this bill after long and thoughtful consultation with many of the stakeholders on this issue, including the privacy, consumer protection and business communities. I have also consulted with the Departments of Justice and Homeland Security, and with the Federal Trade Commission.

This is a comprehensive bill that not only addresses the need to provide Americans with notice when they have been victims of a data breach, but that also deals with the underlying problem of lax security and lack of accountability to help prevent data breaches from occurring in the first place. Enacting this comprehensive data privacy legislation remains one of my legislative priorities as Chairman of the Judiciary Committee.

Protecting privacy rights is of critical importance to all of us, regardless of party or ideology. I hope that all Senators will support this measure to better protect Americans' privacy.

I ask that a copy of the bill be printed in the Record following my statement.

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